

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID C. STEPHENSON, et al,

Defendants.

Case No. CR05-5158 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's Motion for Release Pending Sentencing [Dkt. #236].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:


The defendant was convicted by a jury on February 21, 2006 of one count of conspiracy to defraud the United States and three counts of failing to file income tax returns. After the return of the verdict, the Court remanded the defendant to the custody of the United States Marshal. The defendant now seeks release pending sentencing.

Under 18 U.S.C. § 3143(a) the defendant bears the burden of proving by clear and convincing evidence that he is "not likely to flee or pose a danger to the safety of any other person or the community" in order to be released. The defendant has not met that burden. It is therefore

ORDERED that the Defendant's Motion for Release Pending Sentencing [Dkt. #236] is **DENIED**.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 9th day of March, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE